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December 23, 2020

BY E-MAIL

The Honorable Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

**Re: *United States v. Ari Teman*
Case No. 19-cr-696 (PAE)
Our File No. 65-2365**

Dear Judge Engelmayer:

I represent Sher Tremonte LLP with respect to the transition of Ari Teman's defense to incoming counsel, Susan G. Kellman and Andrew J. Frisch. As you are aware, Sher Tremonte LLP's representation of Mr. Teman ended on December 11, 2020, with the Court's Order granting the firm's motion to withdraw as Mr. Teman's counsel.

By way of background, Sher Tremonte LLP was retained to represent Mr. Teman with respect to post-trial issues and appeared on this case on November 2, 2020. All fees paid by Mr. Teman have been earned. I am preparing an accounting for Mr. Teman, which I hope to convey to him through his incoming counsel. Additionally, Mr. Teman, through his company, and certain third parties transferred to the firm \$260,000 to be held in escrow for the payment of any restitution ordered in this matter. The firm was advised that funds advanced by the third parties were borrowed by Mr. Teman for the sole purpose of paying the anticipated restitution. In fact, by letter dated November 20, 2020, the firm advised the Court that \$260,000 in funds had been received for purposes of restitution.

I have reviewed the letter sent by Mr. Teman to the Court, dated December 23, 2020. Please allow this to serve as an emphatic denial of any wrongdoing by the attorneys of Sher

Tremonte LLP. I do, however, formally join in Mr. Teman's request for the Court to order a transfer of the aforementioned funds from Sher Tremonte LLP's escrow account to Ms. Kellman's escrow account, to be held for the intended purpose of payment of restitution in this case. Furthermore, it is respectfully requested that such Order release Sher Tremonte LLP from any liability with respect to this transfer and the handling of the aforementioned funds following said transfer.

Respectfully Submitted,



DOMINGO R. GALLARDO

DRG/cv

cc: **BY E-MAIL**

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The Court stands ready to order the transfer to Mr. Teman's incoming counsel of the funds held in escrow for purposes of restitution. To assure that there is a meeting of the minds among all relevant persons, the Court asks that outgoing and incoming defense counsel, and Mr. Teman, jointly submit a letter to the Court requesting the issuance, and attaching a proposed draft, of an order directing this transfer. The proposed order should set out, *inter alia*, the precise amount of the funds to be transferred.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge